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DATE: September 7, 2006

PTO IDENTIFIER: Application Number 10/002,854-Conf. #3669

Patent Number

Inventor: Mark C. Poznansky et al.

MESSAGE TO: US Patent and Trademark Office MS PETITIONS

FAX NUMBER: (571) 273-8300

FROM: EDWARDS ANGELL PALMER & DODGE LLP

Amy M. Leahy

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Attorney Dkt. #: 62053CIP(51588)

PAGES (Including Cover Sheet): 15

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Petition Fee Transmittal

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PTO/SB/97 (09-04)

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Application No. (if known): 10/002,854

Attorney Docket No.: 62053CIP(51588)

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Transmittal (1 page)

Petition Under 37 CFR 1.78(a)(3) and (a)(6) to Allow an Unintentional

Delayed Claim for Benefit of Prior Applications

Supplemental Amendment

Declaration of Edward R. Gates

Declaration of Amy M. Leahy

Petition Fee Transmittal

PTO/SB/21 (07-06)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/002,854-Conf. #3669
	Filing Date	November 1, 2001
	First Named Inventor	Mark C. Poznansky
	Art Unit	1651
	Examiner Name	L. B. Lankford
Total Number of Pages in This Submission	Attorney Docket Number	62053CIP(51588)

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Petition Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition Under 37 CFR 1.78(a)(3) and (a)(6) to Allow an Unintentional Delayed Claim for Benefit of Prior Applications Supplemental Amendment Declaration of Edward R. Gates Declaration of Amy M. Leahy
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature	<i>Amy M. Leahy</i>		
Printed name	Amy M. Leahy		
Date	September 7, 2006	Reg. No.	47,739

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Dated: September 7, 2006

Signature: *Denise Kacinski* (Denise Kacinski)

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PETITION FEE Under 37 CFR 1.17(t) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/002,854-Conf. #3689
	Filing Date	November 1, 2001
	First Named Inventor	Mark C. Poznansky
	Art Unit	1651
	Examiner Name	L. B. Lankford
	Attorney Docket Number	62053CIP(51588)

Enclosed is a petition filed under 37 CFR 1.17(t) that requires a processing fee
 Payment 1370.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 04-1105

☒ petition fee under 37 CFR 1.17(t) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Amy M. Leahy Signature September 7, 2006 Date
 Amy M. Leahy 47,739
 Typed or printed name Registration No., if applicable

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: September 7, 2006 Signature: Denise Kacinski (Denise Kacinski)

Attorney Docket No. (51588) 62053CIP US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Mark C. Poznansky et al.

Application No.: 10/002,854

Confirmation No.: 3669

Filed: November 1, 2001

Art Unit: 1651

For: CAR RECEPTOR AS A MEDIATOR OF
MIGRATORY CELL CHEMOTAXIS AND/OR
CHEMOKINESIS

Examiner: L. Blaine Lankford

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Denise Kacinski

Name of Person Sending Facsimile

Denise Kacinski

Signature of Person Sending Facsimile

**PETITION UNDER 37 C.F.R. § 1.78(a)(3) AND (a)(6) TO ALLOW
AN UNINTENTIONALLY DELAYED CLAIM
FOR BENEFIT OF PRIOR APPLICATIONS**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.78(a)(3) and (a)(6), Applicants hereby petition the Commissioner to allow an unintentionally delayed claim for benefit of prior applications to be added to the above-referenced application.

In accordance with 37 C.F.R. § 1.78(a)(3)(i) and (a)(6)(i), Applicants include herewith an amendment to the specification of the above-referenced application adding the reference to prior applications as required by 35 U.S.C. § 365(c), 35 U.S.C. § 119(c) and 37 C.F.R. § 1.78(a)(2)(i) and (a)(5)(i).

09/08/2006 TL0111 00000032 041105 10002854
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Application No.: 10/002,854

Attorney Docket No. (51588) 62053CIP US

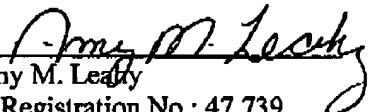
In accordance with 37 C.F.R. § 1.78(a)(3)(ii) and (a)(6)(ii), Applicants hereby authorize the Commissioner to charge the surcharge of \$1370.00 set forth in 37 C.F.R. § 1.17(t) to Deposit Account No. 04-1105, under Order No. 62053CIP(51588).

In accordance with 37 C.F.R. § 1.78(a)(3)(iii) and (a)(6)(iii), Applicants respectfully submit that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and (a)(5)(ii) and the date the claim is being filed was unintentional. The Declarations of Edward R. Gates and Amy Leahy filed on even date with this petition are provided as evidence that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and (a)(5)(ii) and the date the claim is being filed was unintentional.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62053CIP(51588).

Dated: September 7, 2006

Respectfully submitted,

By 
 Amy M. Leahy
 Registration No.: 47,739
 EDWARDS ANGELL PALMER & DODGE
 LLP
 P.O. Box 55874
 Boston, Massachusetts 02205
 (203) 353-6817
 Attorneys/Agents For Applicant

Attorney Docket No. (51588) 62053CIP US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Mark C. Poznansky et al.

Application No.: 10/002,854

Confirmation No.: 3669

Filed: November 1, 2001

Art Unit: 1651

For: CAR RECEPTOR AS A MEDIATOR OF
MIGRATORY CELL CHEMOTAXIS AND/OR
CHEMOKINESIS

Examiner: L. Blaine Lankford

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Denise Kacinski

Name of Person Sending Facsimile

Denise Kacinski

Signature of Person Sending Facsimile

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF EDWARD R. GATES

I declare as follows:

1. I am a member of Wolf, Greenfield & Sacks, P.C. I am familiar with U.S. Patent Application No. 10/002,854 ("the present application") and its filing on November 1, 2001.
2. This Declaration is submitted in support of a Petition Under 37 C.F.R. §1.78(a)(3) and (a)(6) to Allow an Unintentionally Delayed Claim for Benefit of Prior Applications ("the Petition") filed concurrently herewith.

Attorney Docket No. (51588) 62053CIP US

3. I was an attorney of record in the present application and respectfully submit that I am qualified to speak and render opinions as to the Petition and the circumstances surrounding the filing of the Petition.
4. I was listed as an attorney of record in the present application on November 1, 2001 and remained as an attorney of record until February 17, 2005. Therefore, I am familiar with the present application and its filing. I have reviewed the Petition submitted herewith.
5. I respectfully declare that the entire delay between the date the claim for benefit of prior applications ("the claim") was due under 37 C.F.R. § 1.78(a)(2)(ii) and (a)(5)(ii) and February 17, 2005 was unintentional. I have also reviewed the Declaration of Amy M. Leahy, a current attorney of record, declaring that the entire delay between February 17, 2005 and the date the claim is now being filed was unintentional.
6. I respectfully declare that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and (a)(5)(ii) and the date the claim is now being filed was unintentional.

Attorney Docket No. (51588) 62053CIP US

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements

Dated

9/7/06

By:

Edward R. Gates

Edward R. Gates

Reg. No. 31,616

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, MA 02210-2206

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Attorney Docket No. (51588) 62053CIP US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:
Mark C. Poznansky et al.

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Application No.: 10/002,854

Confirmation No.: 3669

Filed: November 1, 2001

Art Unit: 1651

For: CAR RECEPTOR AS A MEDIATOR OF
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CHEMOKINESIS

Examiner: L. Blaine Lankford

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Denise Kacinski

Name of Person Sending Facsimile

Denise Kacinski

Signature of Person Sending Facsimile

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF AMY M. LEAHY

I declare as follows:

1. I am an attorney employed by Edwards Angell Palmer & Dodge, LLP. I am an attorney of record in U.S. Patent Application No. 10/002,854 ("the present application").
2. This Declaration is submitted in support of a Petition Under 37 C.F.R. § 1.78(a)(3) and (a)(6) to Allow an Unintentionally Delayed Claim for Benefit of Prior Applications ("the Petition") filed concurrently herewith.

Attorney Docket No. (51588) 62053CIP US

3. I am an attorney of record and respectfully submit that I am qualified to speak and render opinions as to the Petition and the circumstances surrounding the filing of the Petition, as I have familiarity with the present application, the Petition and their filings.
4. I have reviewed the Declaration of former attorney of record Edward R. Gates declaring that the entire delay between the date the claim for benefit of prior applications ("the claim") was due under 37 C.F.R. § 1.78(a)(2)(ii) and (a)(5)(ii) and February 17, 2005 was unintentional.
5. I became a current attorney of record in the present application on February 17, 2005. I respectfully declare that the entire delay between February 17, 2005 and the date the claim is now being filed was unintentional.
6. I respectfully declare that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and (a)(5)(ii) and the date the claim is now being filed was unintentional.

Attorney Docket No. (51588) 62053CIP US

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements

Dated September 7, 2006

By: Amy M. Leahy
Amy M. Leahy
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